

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AARON ABADI, :
: Plaintiff, :
: : 23-cv-4033 (LJL)
- v - :
: : ORDER
AMERICAN AIRLINES, et al., :
: Defendants. :
: :
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LEWIS J. LIMAN, United States District Judge:

The Court will hold a status conference on this matter on Wednesday, April 24, at 11:00 AM, in Courtroom 15C, 500 Pearl Street, New York, NY 10007. Numerous motions to dismiss the complaint have been filed in this case, and others are still yet to be filed. In many instances, the existing motions repeat the same arguments for different defendants. The result is much duplicative briefing.

The Court today issued an opinion addressing three of the motions to dismiss and, in the course of doing so, addressed many of the issues that are raised in the remaining motions to dismiss. It also addressed Plaintiffs motion to supplement, Dkt. No. 12, and deemed the Plaintiff's supplemental complaint, Dkt. No. 12-1, incorporated into his original complaint, Dkt. No. 3. Accordingly, the Court directs the parties to meet and confer to propose an economical, efficient, and fair way for the Court to address the remaining motions, with attention paid to those issues the Court has already decided and that therefore may be dispositive of Plaintiff's claims. In particular, counsel for the remaining Defendants shall meet and confer to consider whether the remaining motions can be addressed by fewer and more abbreviated memoranda,

filed on behalf of defendants who may be differently situated as a matter of law (e.g., government defendants, medical defendants and their agents, foreign state-owned airlines and their agents, foreign private-sector airlines and their agents, and domestic airlines and their agents).¹ Defendants shall further consider whether the issues may be addressed more economically if an issue common to all defendants is briefed only by one group of defendants, with the remaining defendants adopting those arguments (to the extent that they apply). Such new memoranda would be in lieu of the existing memoranda. After the defendants have agreed on a proposal, they shall share that proposal with Plaintiff and attempt to agree upon a common approach.

The outstanding extended deadlines to file motions to dismiss and related briefing are adjourned *sine die*, until the Court approves a new briefing schedule. A letter setting forth a proposal for a new set of briefs (to replace those already submitted) shall be filed on ECF one week before the conference.

SO ORDERED.

Dated: March 29, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge

¹ The Court does not intend to suggest that each of these groups needs to file a separate memorandum. It may be possible to further consolidate the briefing. As the government defendants have collectively submitted one motion to dismiss, they may resubmit their existing motion to dismiss, or file a new motion to dismiss that addresses the allegations in Plaintiff's supplemental complaint. Counsel for the government defendants shall nevertheless meet and confer with counsel for the other defendants and appear at the conference to apprise the Court of their decision.